

## OFFICEHOLDER EXPENSE RULE

### R2-20-104(F)

#### NOTE:

**BLUE UPPERCASE** = new language

~~red lowercase strikethrough~~ = deleted language

- F. Officeholder Expenses. **DURING AN OFFICEHOLDER EXPENSE CYCLE AN ELECTED OFFICIAL MAY RAISE OR SPEND MONEY TO DEFRAY THE EXPENSE OF PERFORMING OFFICEHOLDER DUTIES.** ~~Prior to April 30 of an election year, an elected official may raise or spend money to defray the expense of performing officeholder duties, and the event or item purchased shall be completed or otherwise used and depleted prior to April 30 of an election year, as follows:~~
- 1. THE OFFICEHOLDER SHALL ARRANGE FOR THE CONSTITUENT COMMUNICATION, EVENT OR ITEM TO BE PAID FOR, FULLY UTILIZED AND / OR COMPLETED PRIOR TO MAY 31<sup>ST</sup> OF AN ELECTION YEAR FOR THAT OFFICE.**
  - ~~2.1.~~ The candidate may first exhaust all surplus monies from prior campaign accounts pursuant to subsection B of this rule or may use personal monies for officeholder expenses;
  - ~~3.2.~~ Money raised shall be only from individuals and the maximum raised from an individual during the election cycle shall not exceed **2 TIMES THE EARLY CONTRIBUTION LIMIT AS SET FORTH IN A.R.S. § 16-945(A)(1)** . ~~one-half the early contribution limit;~~
  - ~~4.3.~~ The sum of the money raised or spent shall not exceed **4** ~~2~~ times the early contribution limit applicable to the officeholder's current office **AS SET FORTH IN A.R.S. § 16-945(A)(2).**
  - ~~5.4.~~ For an officeholder's future campaign as a:
    - a. Participating candidate-
      - i. Money raised pursuant to this subsection will not be deemed early contributions, and
      - ii. Personal money spent pursuant to this subsection shall not apply to personal money expenditure limits provided in A.R.S. §16-941(A)(2).
    - b. Nonparticipating candidate-
      - i. Money raised or spent pursuant to this subsection will not be calculated in matching funds to opponents as provided in A.R.S. §16-952, and
      - ii. Money raised or spent pursuant to this subsection will not trigger the reporting requirements provided in A.R.S. §§16-941(D) & -958.
  - ~~6.5.~~ Any money raised or spent in excess of the limits established in this rule, however, shall be calculated as early contributions or personal monies for participating candidates, or for matching funds and reporting requirements for nonparticipating candidates.
  - ~~7.6.~~ Money raised or spent for officeholder expenses shall be reported under campaign finance reporting requirements pursuant to A.R.S. Title 16, Chapter 6, Article 1 as follows:
    - a. The officeholder shall establish an account for officeholder expenses, which shall be separate from any candidate campaign account;
    - b. The account shall be designated on the statement of organization as "Officeholder Expense Account;" and **EVERY OFFICEHOLDER EXPENSE**

ACCOUNT COMMITTEE SHALL INCLUDE THE NAME OF THE OFFICEHOLDER IN THE NAME OF THE COMMITTEE.

- c. Any money remaining in the officeholder expense account after **MAY 31** ~~April 30~~ of an election year **FOR THAT OFFICE** shall ~~either~~ not be spent **UNTIL THE DAY FOLLOWING THAT OFFICEHOLDER'S GENERAL ELECTION.** ~~for the remainder of the calendar year, or shall be remitted to the Clean Elections Fund;~~
- D. **WITHIN 60 DAYS OF THE TIME AN OFFICEHOLDER VACATES OFFICE ANY SURPLUS MONEY SHALL BE DISPOSED OF ONLY AS FOLLOWS:**
  - i. **RETURNED TO CONTRIBUTORS IN AN AMOUNT NOT TO EXCEED THE AMOUNT DONATED.**
  - ii. **DONATED TO A CHARITABLE ORGANIZATION THAT QUALIFIES UNDER SECTION 501(C)(3) OF THE U.S. INTERNAL REVENUE CODE, OR**
  - iii. **REMITTED TO THE CITIZEN'S CLEAN ELECTIONS FUND.**
- E. **AT NO TIME DURING AN ELECTED OFFICIAL'S TERM SHALL THE SUM OF ALL CONTRIBUTIONS IN AN OFFICEHOLDER EXPENSE ACCOUNT EXCEED 4 TIMES THE EARLY CONTRIBUTION LIMIT INCLUDING ANY CONTRIBUTIONS ROLLED OVER FROM A PREVIOUS OFFICEHOLDER EXPENSE ACCOUNT COMMITTEE.**
- ~~8.7.~~ Money in the officeholder expense account shall not be used for direct campaign purposes or in connection with the officeholder's future campaign for elective office; and
- ~~9.8.~~ Permissible uses of the money in the officeholder expense account include:
  - a. Expenditures for office equipment and supplies;
  - b. Expenditures for work-related travel;
  - c. Donations to **CHARITABLE ORGANIZATIONS THAT QUALIFY UNDER SECTION 501(C)(3) OF THE U.S. INTERNAL REVENUE CODE** ~~tax-exempt charitable organizations;~~
  - d. Expenditures to meet or communicate with constituents;
  - e. **EXPENDITURES FOR ITEMS SUCH AS PLAQUES, BOOKS OR OTHER AWARDS TO SIGNIFY HONORARY RECOGNITION OF AN ACCOMPLISHMENT OR SERVICE;**
  - f. **DUES AND MEMBERSHIPS IN PROFESSIONAL, CIVIC AND CHARITABLE ORGANIZATIONS THAT QUALIFY UNDER SECTION 501(C)(3) OF THE U.S. INTERNAL REVENUE SERVICE CODE.**
- 10. **NOTWITHSTANDING ANY OTHER PROVISION OF THIS RULE, FUNDS EXPENDED FOR ATTENDING OFFICE RELATED CONFERENCES MAY BE EXPENDED AT ANY TIME DURING AN OFFICEHOLDER'S TERM.**
- 11. **NOTWITHSTANDING ANY OTHER PROVISION OF THIS RULE, FUNDS FOR PROFESSIONAL DEVELOPMENT INCLUDING CLASSES, SEMINARS OR TRAINING RELATED TO THE OFFICE HELD MAY BE EXPENDED AT ANY TIME DURING AN OFFICEHOLDER'S TERM.**
- 12. **FOR PURPOSES OF THIS RULE AN OFFICEHOLDER EXPENSE CYCLE BEGINS ON THE DAY AN OFFICEHOLDER IS SWORN IN UNTIL THE OFFICEHOLDER VACATES THE OFFICE.**